

[counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Case No. CV 10-03561 WHA (DMR)

Plaintiff,

STIPULATION AND [PROPOSED] ORDER REGARDING PRIVILEGE LOGS

V.

GOOGLE INC.

Dept.: Courtroom 4, 3rd Floor
Judge: Honorable Donna M. Ryu

Defendant.

1 This Stipulation is between Oracle America, Inc. (“Oracle”) and Google Inc. (“Google”).

2 WHEREAS, the parties acknowledge that Judge Ryu’s standing order (Dkt. 141 at 3-4)

3 requires that the following elements be included in privilege logs, in addition to the elements

4 required by Judge Alsup’s order (Dkt. 26 ¶ 16) and the Joint ESI Agreement (Dkt. 67 at ¶ 3(b)):

5 (a) The title of the document; (b) the number of pages or Bates number range of the document;

6 (c) the position of the document’s author(s); (d) the position of all addressees and recipients; and

7 (e) the date the document was prepared.

8 WHEREAS, the parties agree that consistency between the privilege logs already

9 produced and those to be produced in the future is important, the parties agree that the above

10 mentioned additional elements will not be required in privilege logs produced by the parties in

11 this case.

12 NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED by and between

13 Oracle and Google through their undersigned counsel, as follows:

14 1. The parties’ privilege logs should continue to conform to the requirements in

15 Judge Alsup’s order (Dkt. 26 ¶ 16) and the Joint ESI Agreement (Dkt. 67 at ¶ 3(b)).

16 2. The parties are not required to include the following elements in their privilege

17 logs: (a) The title of the document; (b) the number of pages or Bates number range of the

18 document; (c) the position of the document’s author(s); (d) the position of all addressees and

19 recipients; and (e) the date the document was prepared.

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1 Dated: June 10, 2011

MORRISON & FOERSTER LLP

2 By: /s/ Daniel P. Muino
3 Daniel P. Muino

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23 *Attorneys for Plaintiff*
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Dated: June 10, 2011

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By: /s/ Steven T. Snyder
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*Attorneys for Defendant
GOOGLE INC.*

1 **ATTESTATION**

2 I, Daniel P. Muino, am the ECF User whose ID and password are being used to file this
3 STIPULATION AND [PROPOSED] ORDER REGARDING PRIVILEGE LOGS. In compliance
4 with General Order 45, X.B., I hereby attest that Steven T. Snyder has concurred in this filing.
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6 Date: June 10, 2011

7 /s/ Daniel P. Muino

8 Daniel P. Muino

9 **ORDER**

10 IT IS SO ORDERED.

11 Date: _____

12 _____
13 Honorable Donna M. Ryu
14 Magistrate Judge of the United States District Court
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